

CLERK'S OFFICE
COMMISSION MINUTES
MURDOCK ANNEX

RESOLUTION
Number 2006- 194

**A RESOLUTION GRANTING LENNAR COMMUNITIES, INC.
PARTIAL FINAL DETAIL PLAN APPROVAL (DRC-PD-90-6B)
TO AUTHORIZE THE CONSTRUCTION OF TERN BAY
RESORT, PHASE II.**

WHEREAS, pursuant to Planned Development approval PD-90-6, the property described in **Exhibit A** is zoned Planned Development; and

WHEREAS, the Board of County Commissioners ("Board") approved the DRC-PD-90-6A Partial Final Detail Plan resolution authorizing the construction of Tern Bay Resort, Phase I consisting of 235 single family lots, golf course and associated roadways, utilities and drainage infrastructure on a 475.38± portion of a 1,778± acre site located on Burnt Store Road in Port Charlotte, Florida; and

WHEREAS, Lennar Communities, Inc. ("Applicant") submitted application DRC-PD-90-6B requesting a Partial Final Detail Plan approval in order to construct Tern Bay Resort, Phase II consisting of fifty (50) residential multi family buildings containing six hundred thirty four (634) residential multi family units, recreational areas and associated infrastructure on a 52.73± acre portion of a 1,778± acre site located on Burnt Store Road in Port Charlotte, Florida, as shown on **Exhibit A** attached hereto and by this reference incorporated herein (such application shall be hereinafter referred to as "Application DRC-PD-90-6B for Tern Bay Resort, Phase II"); and

WHEREAS, the Charlotte County Development Review Committee ("DRC") reviewed Application DRC-PD-90-6B for Tern Bay Resort, Phase II on July 27, 2006 and recommended approval with conditions; and

WHEREAS, The Board has reviewed Application DRC-PD-90-6B for Tern Bay Resort, Phase II and the recommendation of the DRC.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida, that:

Application DRC-PD-90-6B for Tern Bay Resort, Phase II, the application for partial final detail plan approval to the existing planned development PD-90-6 is hereby **APPROVED** with the following conditions which must be met by the applicant:

1. All approvals and all conditions of approval in all previous Resolutions and Ordinances not affected by this resolution apply to the development proposed by this Major Modification to the Final Detail Plan.
2. The following comment is submitted for consideration. The development of Phase II shall be in accordance with the existing Developers Agreement. Transportation Engineering – Wes Millard.

BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
OR BOOK 3051, PGS 317-328 12 pg(s)
INSTR # 1601462
Doc Type GOV, Recorded 10/12/2006 at 08:57 AM
Rec. Fee: \$103.50
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murdock

3. All Brazilian pepper, melaleuca, Australian pines and downy rose myrtle must be removed from the entire site in accordance with **Section 3-5-397** of the landscape requirements.
4. All trees that are to be preserved or removed must be in accordance with **Chapter 3-2, Article IX, Tree Requirements**, of the County Code. Tree Removal Authorization, Tree Preservation, and a Memorandum of Exemption of Fees permits are required prior to any land clearing activity or the issuance of building permits.
5. The project must comply with **Chapter 3-5, Article XV, Surface Water and Wetland Protection** requirements of the County Code. The applicant has submitted SWFWMD Permit NO. 44026119.006 stating no wetlands or other surface water exist within the project areas. Submitted plans show wetlands within project areas (i.e. POD A). Staff will require SWFWMD approved plans. Site Plans must illustrate no wetlands within POD site boundaries. Site and **Landscape** plans must also illustrate all wetlands, upland buffers, and conservation areas (i.e. wildlife corridors) in relation to each POD site boundary.
6. The project shall comply with **Chapter 3-5, Article IV, Clearing, Filling and Soil Conservation** requirements of the County Code. Best Use Management Plans must be documented on final site plans and utilized during all land clearing and development activities. Site plans must illustrate silt fencing placed along upland buffer limits of wetlands adjacent to POD site boundaries.
7. As required by Section 3-9-49(d)(5)b,2, Code of Laws and Ordinances of Charlotte County, the projected schedule for the development approved by this resolution from commencement to buildout shall be as follows:
 - a. Commencement shall begin after July 27, 2006.
 - b. Buildout shall be substantially completed prior to December 30, 2012.

PASSED AND DULY ADOPTED this 10 day of OCTOBER, 2006.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Thomas G. Moore
Thomas G. Moore, Chairman

ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-Officio Clerk
of the Board of County Commissioners

By: Anne L. Pfahler
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney

RB
LR2006-561

Exhibit "A"

BOUNDARY SURVEY OF:

DESCRIPTION (PER TITLE COMMITMENT)

TRACT 1: THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 23 EAST, LESS STATE ROAD RIGHT-OF-WAY, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

TRACT 2: THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 23 EAST, LYING WEST OF STATE ROAD RIGHT-OF-WAY, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

TRACT 3: A TRIANGULAR TRACT OF LAND CONTAINING 3 ACRES MORE OR LESS SITUATED IN THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 23 EAST, DESCRIBED AS :

BEGINNING AT A POINT WHERE THE EAST-WEST CENTERLINE OF SAID SECTION 20 INTERSECTS THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BURNT STORE ROAD AS THE SAME WAS LOCATED PRIOR TO ENTRY OF ORDER OF TAKING IN CONDEMNATION SUIT NUMBER 68-346, HERETOFORE PENDING IN THE CIRCUIT COURT OF CHARLOTTE COUNTY, FLORIDA: THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 500 FEET; THENCE TO THE RIGHT AT AN ANGLE OF 90 DEGREES, GOING NORTHWESTERLY 473 FEET, MORE OR LESS, TO THE EAST-WEST CENTERLINE OF SAID SECTION 20; THENCE EASTERLY ALONG SAID EAST-WEST CENTERLINE 689 FEET, MORE OR LESS TO THE POINT OF BEGINNING, LESS STATE ROAD RIGHT-OF-WAY, LYING AND BEING CHARLOTTE COUNTY, FLORIDA.

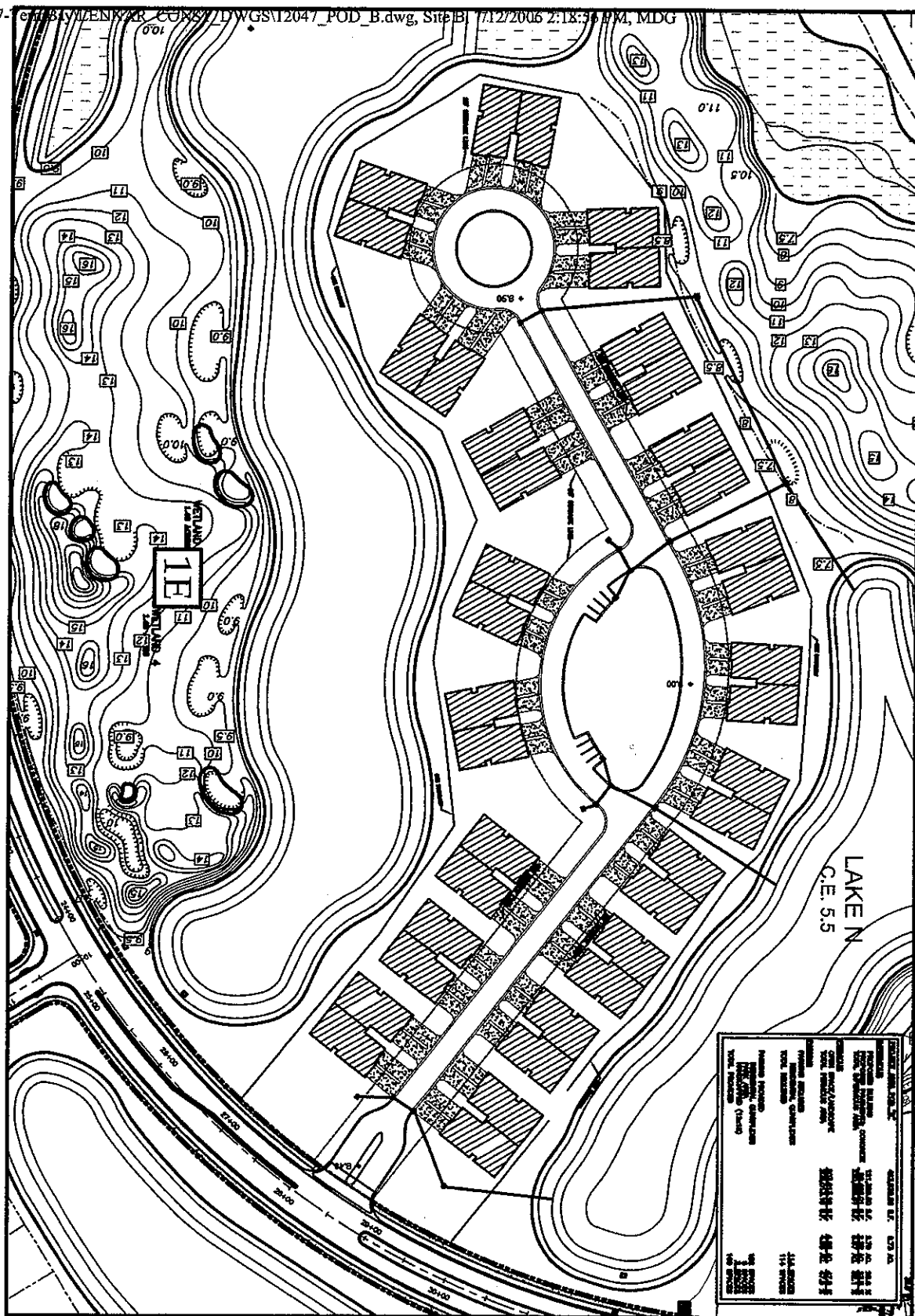
TRACT 4: THE NORTH 1/2 OF NORTH 1/2 OF SOUTHWEST 1/4 OF NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 23 EAST, LYING WEST OF STATE ROAD RIGHT-OF-WAY, LYING AND BEING CHARLOTTE COUNTY, FLORIDA.

TRACT 5 : ALL OF THE FRACTIONAL SECTION 13, TOWNSHIP 42 SOUTH, RANGE 22 EAST, CHARLOTTE COUNTY, FLORIDA.

TRACT 6: SECTION 17, LESS THE NORTH 100 FEET THEREOF AND LESS STATE ROAD RIGHT-OF-WAY IN TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

TRACT 7 : ALL OF THE FRACTIONAL SECTION 18, LESS THE NORTH 100 FEET THEREOF IN TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

TRACT 8: THE NORTH 1/2 OF FRACTIONAL SECTION 19, LESS OFF SHORE RIGHT TO COTTON KEY IN TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.



EXISTING AREA (SQ. FT.)	1,234,567
PROPOSED AREA (SQ. FT.)	1,234,567
TOTAL AREA (SQ. FT.)	2,469,134
EXISTING IMPERVIOUS AREA (SQ. FT.)	1,234,567
PROPOSED IMPERVIOUS AREA (SQ. FT.)	1,234,567
TOTAL IMPERVIOUS AREA (SQ. FT.)	2,469,134
EXISTING PERMEABLE AREA (SQ. FT.)	1,234,567
PROPOSED PERMEABLE AREA (SQ. FT.)	1,234,567
TOTAL PERMEABLE AREA (SQ. FT.)	2,469,134
EXISTING CURB & GUTTER (SQ. FT.)	1,234,567
PROPOSED CURB & GUTTER (SQ. FT.)	1,234,567
TOTAL CURB & GUTTER (SQ. FT.)	2,469,134
EXISTING DRIVEWAY (SQ. FT.)	1,234,567
PROPOSED DRIVEWAY (SQ. FT.)	1,234,567
TOTAL DRIVEWAY (SQ. FT.)	2,469,134
EXISTING PARKING (SQ. FT.)	1,234,567
PROPOSED PARKING (SQ. FT.)	1,234,567
TOTAL PARKING (SQ. FT.)	2,469,134
EXISTING TOTAL (SQ. FT.)	1,234,567
PROPOSED TOTAL (SQ. FT.)	1,234,567
TOTAL TOTAL (SQ. FT.)	2,469,134

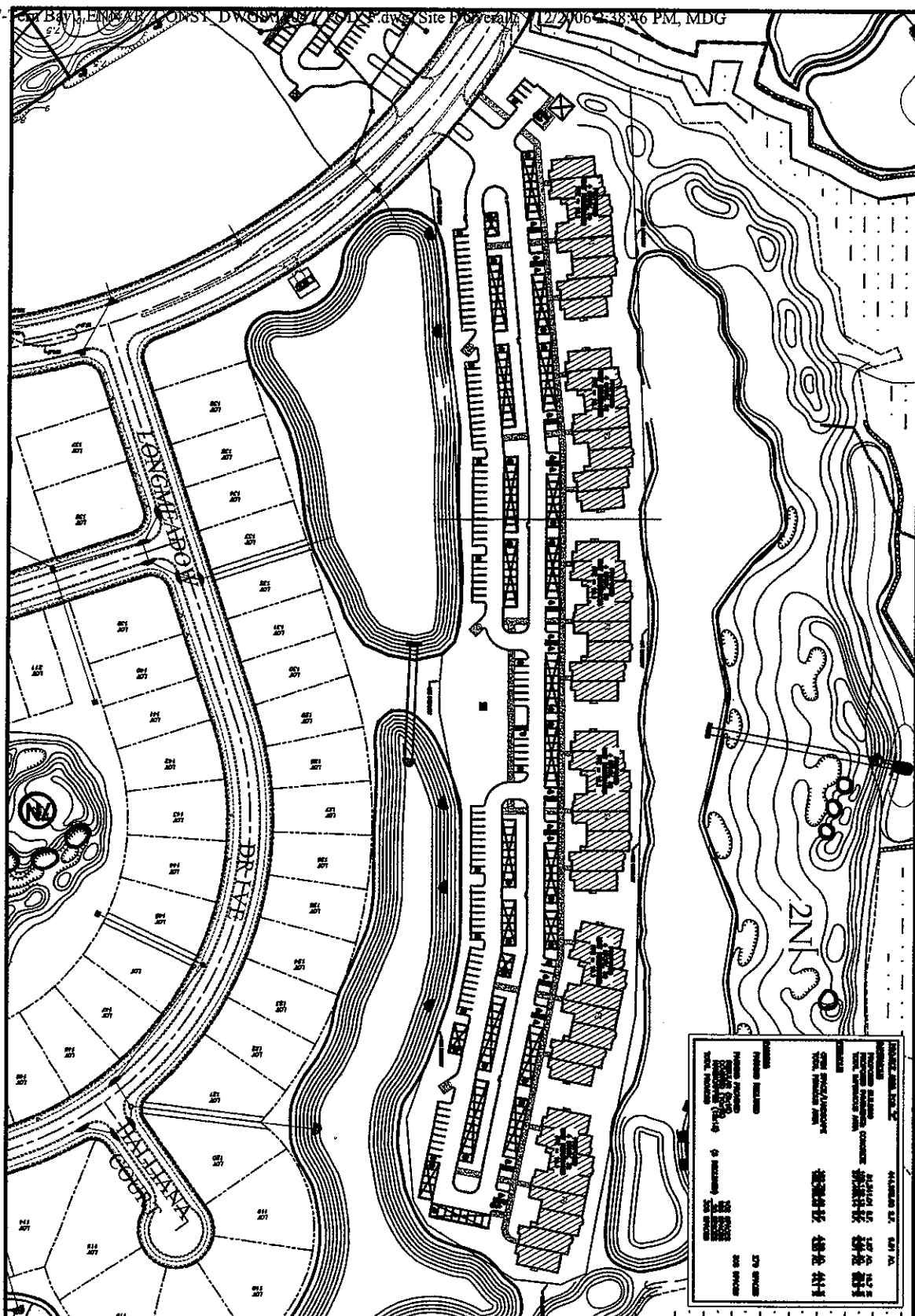
PROPOSED SIGNING AND STRIPING PER FOOT INDEX
11864, 11863, 17202, 17204 AND 17205

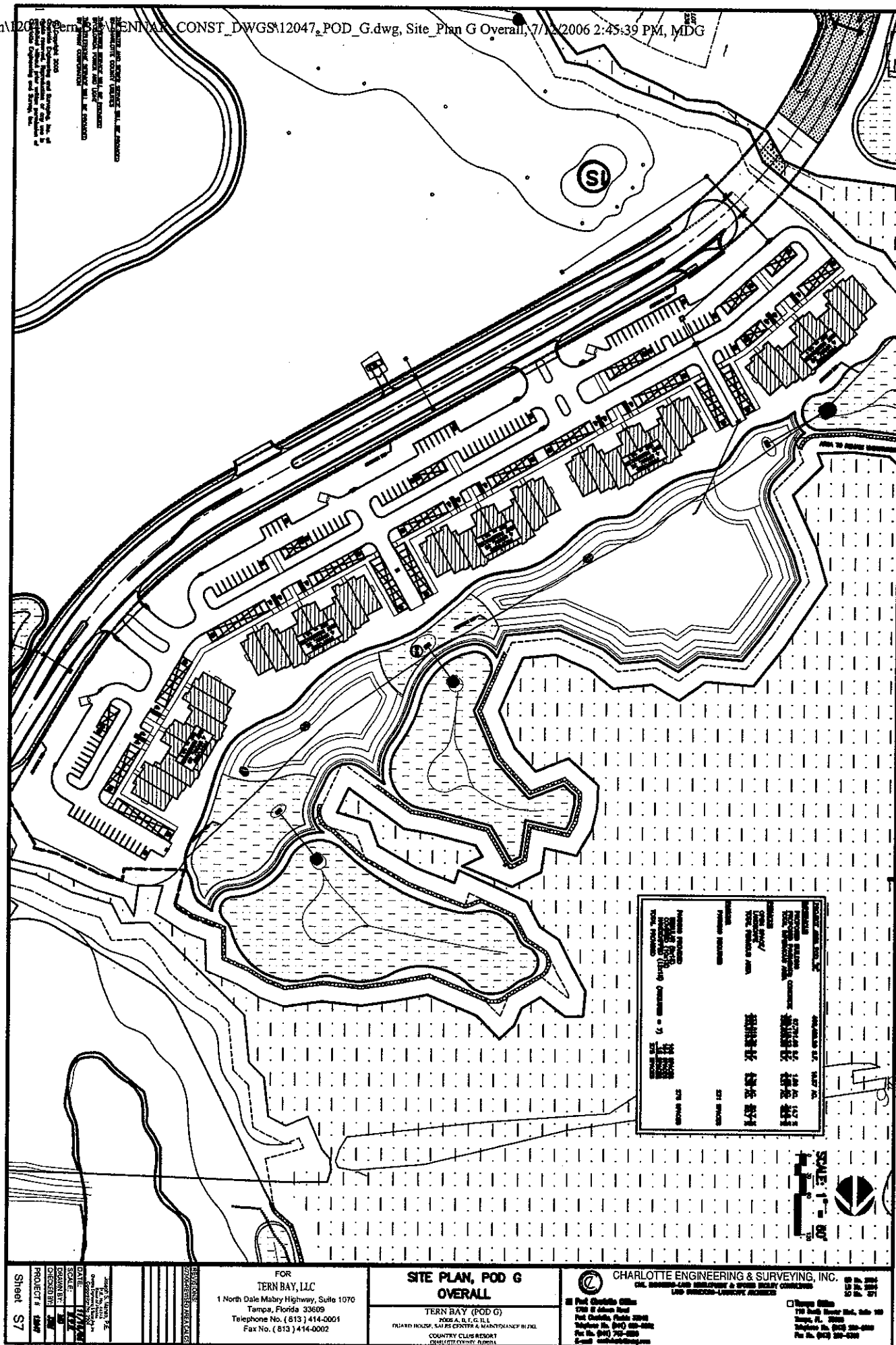
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DRAWN BY	MDG
CHECKED BY	MDG
PROJECT #	12047
SHEET #	S3

TERN BAY, LLC
1 North Dale Mabry Highway, Suite 1070
Tampa, Florida 33609
Telephone No. (813) 414-0001
Fax No. (813) 414-0002

SITE PLAN, POD B
TERN BAY (POD B)
KORR & A.E. U.S.L.
GUARD HOUSE, SALES CENTER & MAINTENANCE BLDG.
COUNTRY CLUB RESORT
CHARLOTTE, NC 28201

CHARLOTTE ENGINEERING & SURVEYING, INC.
C.E. SURVEYING & ENGINEERING & DESIGN
1700 South Tower Blvd., Suite 100
Tampa, FL 33609
Telephone No. (813) 988-0000
Fax No. (813) 988-0000
E-mail: info@cesurvey.com

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Sheet S7

DATE:	11/10/00
SCALE:	1/8" = 1'-0"
DRAWN BY:	JD
CHECKED BY:	JD
PROJECT #	1000000

**SITE PLAN, POD G
OVERALL**

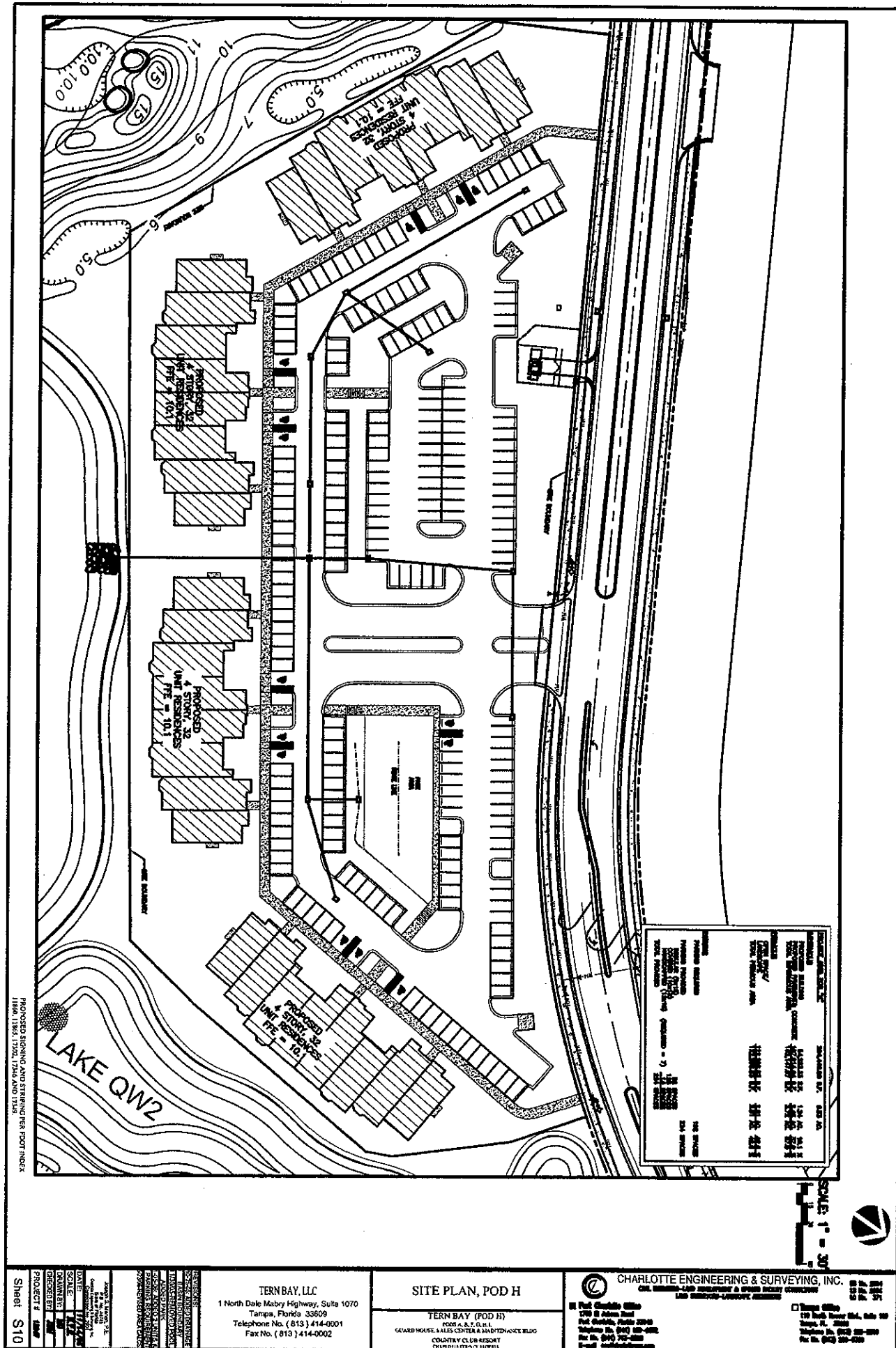
TERN BAY (POD G)
PODS A, B, F, G, H, I
CLUBHOUSE, SALES CENTER & MAINTENANCE BUILDING
COUNTRY CLUB RESORT
CHARLOTTE COUNTY, FLORIDA

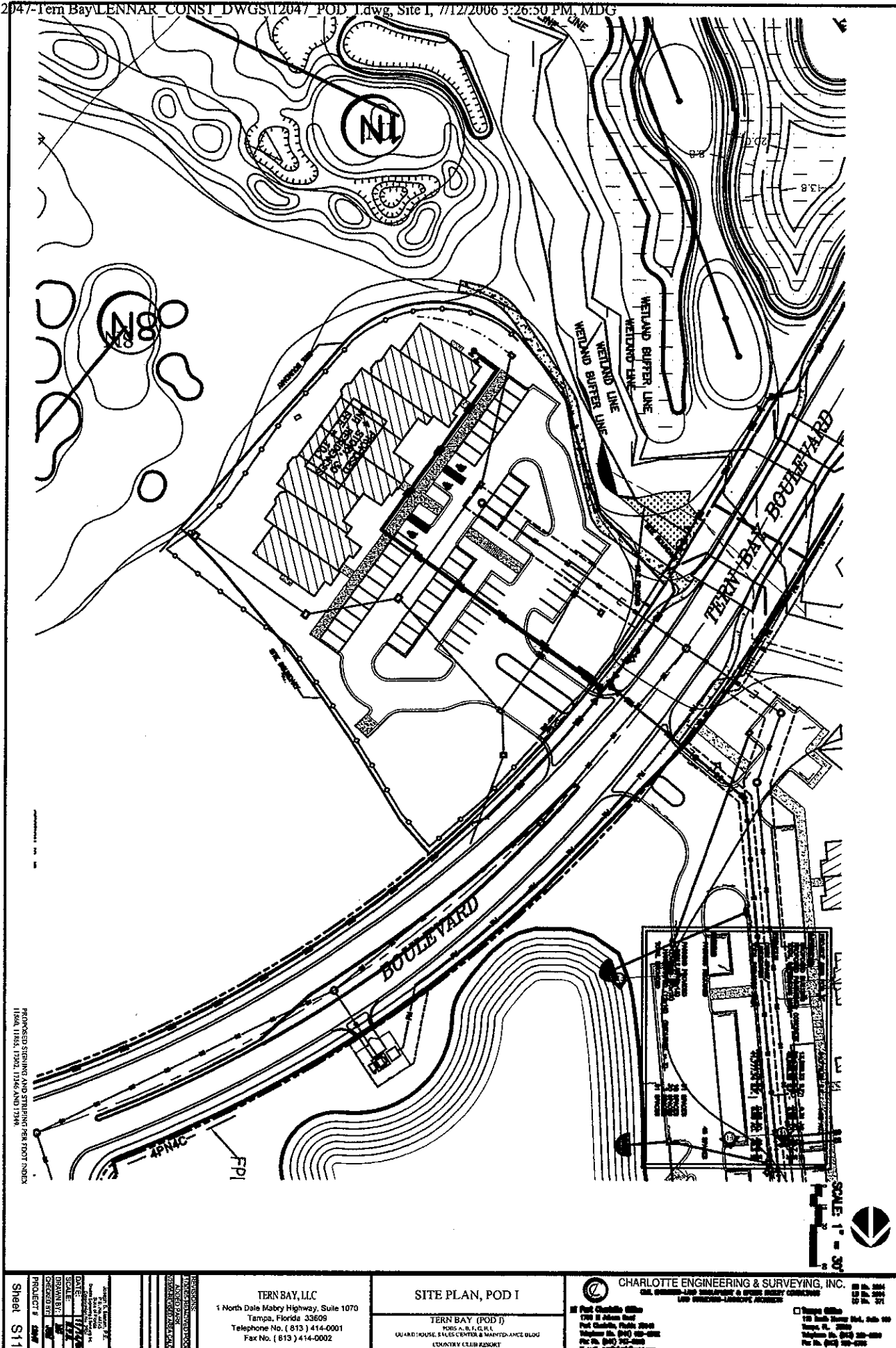


CHARLOTTE ENGINEERING & SURVEYING, INC.
CIVIL ENGINEERING-LAND DEVELOPMENT & SPORTS FACILITY CONSULTING
LAND SURVEYING-LANDSCAPE ARCHITECTURE

22 **Paul Charlotte Collins**
1700 N. Johns Road
Fort Charlotte, Florida 33948
Telephone No. (941) 689-8889
Fax No. (941) 753-8886
E-mail collinscharlotte@aol.com

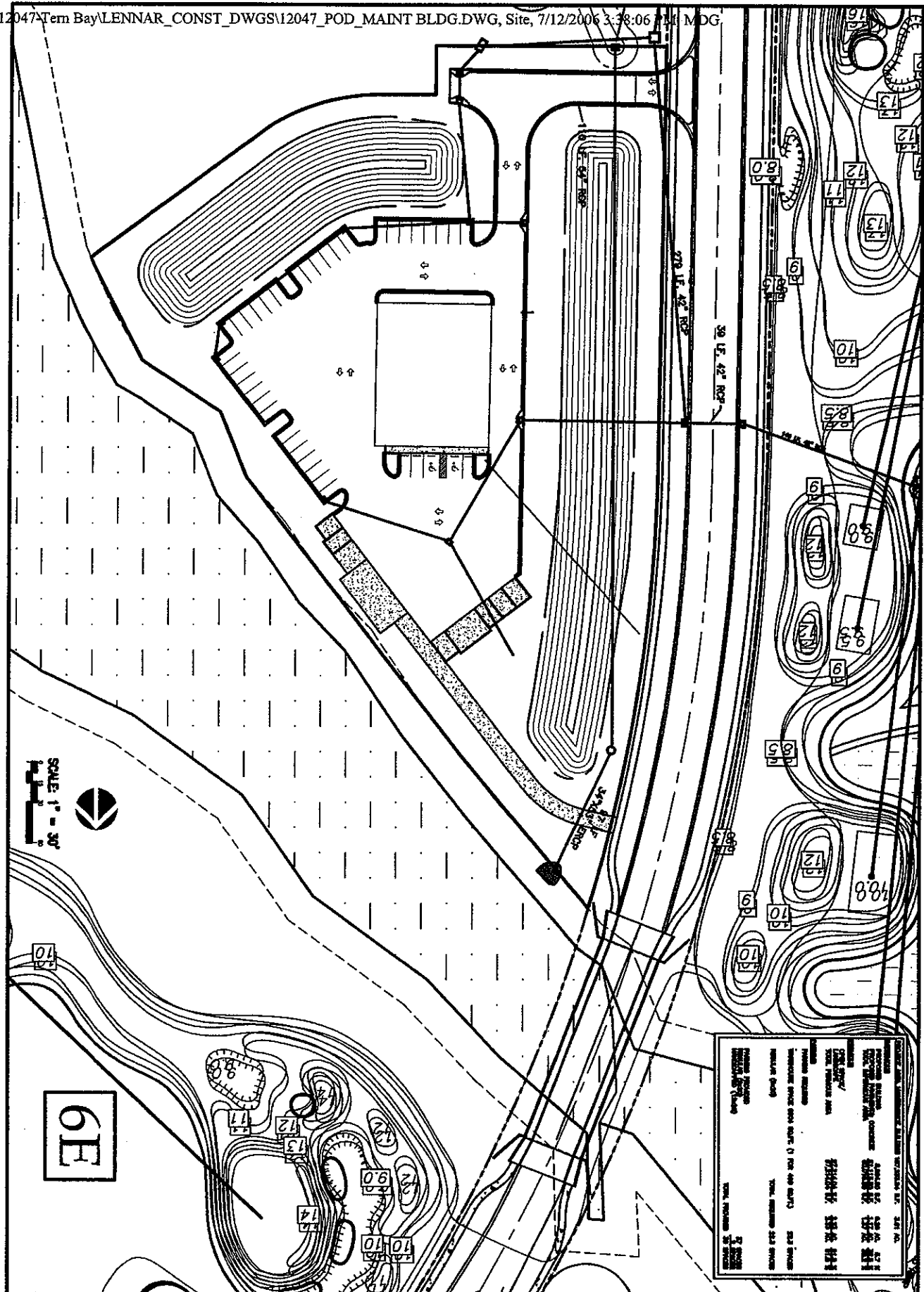
☐ **Thompson Station**
710 South River Road, Suite 100
Thompson, IL 30405
Telephone No. (815) 280-0200
Fax No. (815) 280-0200

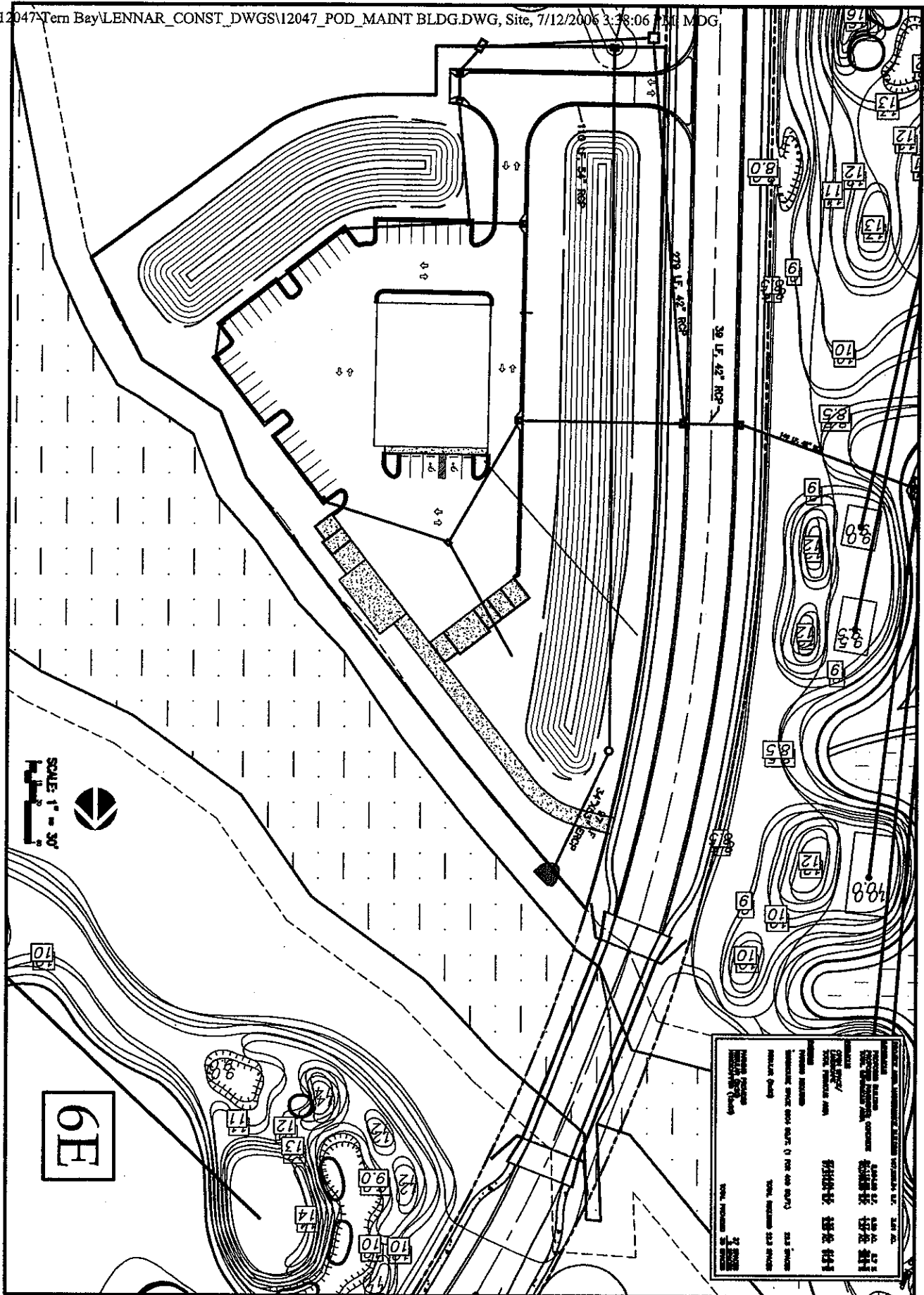




PROPOSED SIGNING AND STRIPING PER FOOT INDEX
1184, 1185, 1202, 1246 AND 1249

<p>Sheet S11</p> <p>DATE: 11/14/06 SCALE: 1"=30' DRAWN BY: JMD CHECKED BY: JMD PROJECT # 12047</p>	<p>TERN BAY, LLC 1 North Dale Mabry Highway, Suite 1070 Tampa, Florida 33609 Telephone No. (813) 414-0001 Fax No. (813) 414-0002</p>	<p>SITE PLAN, POD I</p> <p>TERN BAY (POD I) POD A, B, C, D, E GUARD HOUSE, SALES CENTER & MAINTENANCE BUILDING LUXURY CLUB RESORT CHALLOTTE COUNTY, FLORIDA</p>	<p>CHARLOTTE ENGINEERING & SURVEYING, INC. CIVIL, GEOTECHNICAL, LANDSCAPE & SPECIALTY SURVEY CONSULTING LAND DEVELOPMENT - LANDSCAPE ARCHITECTURE</p> <p>11111 North Dale Mabry Highway, Suite 1070 Tampa, FL 33609 Telephone No. (813) 414-0001 Fax No. (813) 414-0002 E-mail: info@charlotte-engineering.com</p> <p>11111 North Dale Mabry Highway, Suite 1070 Tampa, FL 33609 Telephone No. (813) 414-0001 Fax No. (813) 414-0002</p>
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<p>FOR TERN BAY, LLC 1 North Dale Mabry Highway, Suite 1070 Tampa, Florida 33609 Telephone No. (813) 414-0001 Fax No. (813) 414-0002</p>	<p>SITE PLAN, MAINTENANCE BUILDING TERN BAY (MAINTENANCE BUILDING) POD, A.R.E.G., L.L.C. GUARD HOUSE, SALES CENTER & MAINTENANCE BLDG. COUNTRY CLUB RESORT CHARLOTTE NORTH, FLORIDA</p>	<p>CHARLOTTE ENGINEERING & SURVEYING, INC. ONE WOODBRIDGE LANE, SUITE 200 TAMPA, FLORIDA 33609 TEL: (813) 750-0000 FAX: (813) 750-0001 WWW.CESINC.COM</p>	<p>PROJECT DATA PROJECT NO. 12047 SHEET NO. 6E DATE: 7/12/2006 DRAWN BY: MDG CHECKED BY: MDG PROJECT # 12047 SHEET # 6E</p>
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